Atty Docket No. 18062C-39.10US

PTO FAX NO.: (703) 872-9314

ATTENTION: Examiner Agustin Bello   Group Art Unit 2633
TELEPHONE NO.: (703) 308-1393

OFFICIAL COMMUNICATION

FOR THE PERSONAL ATTENTION OF

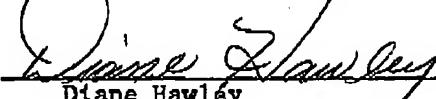## EXAMINER Agustin Bello

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following documents re Applicationof Sung-Joo Yoo, Application No. 10/075,780, filed February 12, 2002 for Method and Apparatus For Optical Signal Processing Using Subcarrier Multiplexed Headers are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

<u>Document(s) Attached</u>

1) Transmittal Form (1 p);
2) Fee Transmittal (1 p in duplicate);
3) Petition For Extension of Time Under 37 CFR 1.136(a) (1 p in duplicate); and
4) Amendment Under 37 CFR 1.116 Expedited Procedure Examining Group 2633 (9 pp).

Number of pages being transmitted, including this page: 15

Dated: August 12, 2003   _Diane Hawley_
                                  Diane Hawley

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TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, CA 94111-3834
Telephone: (650) 326-2400
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23310841 v1

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/075,760
Filing Date	February 12, 2002
First Named Inventor	Yoo, Sung-Joo
Art Unit	2633
Examiner Name	Agustin Bello

Total Number of Pages in This Submission	14	Attorney Docket Number	18062C-39.10US

ENCLOSURES *(Check all that apply)*

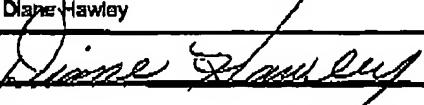|		
☒ Fee Transmittal Form	☐ Drawing(s)	☐ After Allowance Communication to Group
☐ Fee Attached	☐ Licensing-related Papers	☐ Appeal Communication to Board of Appeals and Interferences
☒ Amendment/Reply	☐ Petition	☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
☒ After Final	☐ Petition to Convert to a Provisional Application	☐ Proprietary Information
☐ Affidavits/declaration(s)	☐ Power of Attorney, Revocation Change of Correspondence Address	☐ Status Letter
☒ Extension of Time Request	☐ Terminal Disclaimer	☐ Other Enclosure(s) *(please identify below):*
☐ Express Abandonment Request	☐ Request for Refund	Return Postcard
☐ Information Disclosure Statement	☐ CD, Number of CD(s)	
☐ Certified Copy of Priority Document(s)	Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.
☐ Response to Missing Parts/ Incomplete Application		
☐ Response to Missing Parts under 37 CFR 1.52 or 1.53		OFFICIAL

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Townsend and Townsend and Crew LLP Kenneth R. Allen	Reg. No. 27,301
Signature	*Kenneth R. Allen*	
Date	August 12, 2003	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, Fax No. (703) 872-9314 on August 12, 2003

Typed or printed name	Diane Hawley		
Signature	*Diane Hawley*	Date	August 12, 2003

PTO/SB/17 (05-03)
Approved for use through 04/30/2003. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL
for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT | ($) 205

Complete if Known	
Application Number	10/075,760
Filing Date	February 12, 2002
First Named Inventor	Yoo, Sung-Joo
Examiner Name	Agustin Bello
Art Unit	2633
Attorney Docket No.	18062C-39,10US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ MoneyOrder ☐ Other ☐ None
☒ Deposit Account:

Deposit Account Number: **20-1430**

Deposit Account Name: **Townsend and Townsend and Crew LLP**

The Commissioner is authorized to: (check all that apply)
☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity			
Fee Code	Fee ($)	Fee Code	Fee ($)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) ($)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fees from below	Fee Paid
Total Claims	__ ** =	☒ =	
Independent Claims	__ ** =	☒ =	
Multiple Dependent		☒ =	

Large Entity		Small Entity			
Fee Code	Fee ($)	Fee Code	Fee ($)	Fee Description	
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) ($)

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity			Fee Paid
Fee Code	Fee ($)	Fee Code	Fee ($)	Fee Description	
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	205
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive – unavoidable	
1453	1,300	2453	650	Petition to revive – unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid   SUBTOTAL (3) ($)205

SUBMITTED BY

		Complete (if applicable)		
Name (Print/Type)	Kenneth R. Allen	Registration No. (Attorney/Agent)	27,301	Telephone	650-326-2400
Signature	Kenneth R. Allen		Date	August 12, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. 60017176 v1

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Do Not [illegible]
Enter [illegible]
8/18/03

AMENDMENT UNDER 37 CFR 1.116
EXPEDITED PROCEDURE –
EXAMINING GROUP 2633

PATENT
18062C-39.10US
Client Ref. No. 2001-189-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Confirmation No. 1045
SUNG-JOO YOO	Examiner: Agustin Bello
Application No.: 10/075,780	Technology Center/Art Unit: 2633
Filed: February 12, 2002	AMENDMENT UNDER 37 CFR 1.116 EXPEDITED PROCEDURE EXAMINING GROUP 2633
For: METHOD AND APPARATUS FOR OPTICAL SIGNAL PROCESSING USING SUBCARRIER MULTIPLEXED. HEADERS	
Customer No.: 20350	

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

   In response to the Final Office Action mailed March 12, 2003 on the above-referenced application, please enter the following amendments and remarks, and/or if necessary to receive full consideration, enter this amendment as part of a Request for Continued Examination (RCE):

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.